

Superseded 5/10/2016

77-15a-102 "Mentally retarded" defined.

As used in this chapter, a defendant is "mentally retarded" if:

- (1) the defendant has significant subaverage general intellectual functioning that results in and exists concurrently with significant deficiencies in adaptive functioning that exist primarily in the areas of reasoning or impulse control, or in both of these areas; and
- (2) the subaverage general intellectual functioning and the significant deficiencies in adaptive functioning under Subsection (1) are both manifested prior to age 22.